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General Assembly

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A/AC.249/1997/L.6
14 August 1997

ORIGINAL: ENGLISH

PREPARATORY COMMITTEE ON THE ESTABLISHMENT
OF AN INTERNATIONAL CRIMINAL COURT
4-15 August 1997

REPORT OF THE WORKING GROUP ON COMPLEMENTARITY AND TRIGGER MECHANISM

The Working Group recommends to the Preparatory Committee the texts of the following articles for inclusion in the draft consolidated text of a convention for an international criminal court: articles 21, 21 bis, 21 ter, 22, 23, 24, 25, 25 bis (A/AC.249/1997/WG.3/CRP.1/Rev.1) and article 35 (A/AC.249/1997/WG.3/CRP.2).

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PREPARATORY COMMITTEE ON THE ESTABLISHMENT
OF AN INTERNATIONAL CRIMINAL COURT
14-15 August 1997

REPORT OF THE WORKING GROUP ON PROCEDURAL MATTERS

The Working Group recommends to the Preparatory Committee the text of the following articles concerning procedural matters as a first draft for inclusion in the draft consolidated text of the convention for an international criminal court:

Article 30: Notification of the indictment (A/AC.249/1997/WG.4/CRP.1*)

Article 37: Trial in presence of the accused (A/AC.249/1997/WG.4/CRP.2*)

Article 30 bis: Proceedings on an admission of guilt (A/AC.249/1997/WG.4/CRP.3 and Corr.1)

Article 26: Investigation of alleged crimes (A/AC.249/1997/WG.4/CRP.4)

Article 26, paragraph 6: (A/AC.249/1997/WG.4/CRP.4/Add.1)

Article 26 ter: (A/AC.249/1997/WG.4/CRP.4/Add.2)

Article 38: Functions and powers of the Trial Chamber (A/AC.249/1997/WG.4/CRP.5)

Article 27: Commencement of prosecution (A/AC.249/1997/WG.4/CRP.6)

Article 40: Presumption of innocence (A/AC.249/1997/WG.4/CRP.7)

Article 41: Rights of the accused (A/AC.249/1997/WG.4/CRP.8)

Article 43: Protection of the [accused], victims and witnesses [and their participation in the proceedings] (A/AC.249/1997/WG.4/CRP.9)

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OF AN INTERNATIONAL CRIMINAL COURT
4-15 August 1997

DECISIONS TAKEN BY THE PREPARATORY COMMITTEE AT ITS SESSION HELD FROM 4 TO 15 AUGUST 1997

1. At its 52nd meeting, on 4 August 1997, the Preparatory Committee decided to conduct its work through two working groups: the Working Group on Complementarity and Trigger Mechanism (chaired by Mr. Adriaan Bos); and the Working Group on Procedural Matters (chaired by Ms. Silvia Fernández de Gurmendi).

2. At its 53rd meeting, on 15 August 1997, the Preparatory Committee took note of the reports of the Working Group on Complementarity and Trigger Mechanism (annex I)[1] and of the Working Group on Procedural Matters (annex II).[2] Annexes I and II will be issued in an addendum to the present document.

3. The Preparatory Committee took note that pursuant to paragraph 7 of General Assembly resolution 51/207 of 17 December 1996, the Secretary-General had established a trust fund for the participation of the least developed countries in the work of the Preparatory Committee and in the diplomatic conference of plenipotentiaries. Guidelines have been established for the administration of the Fund. The following Governments have made contributions to the Fund: Belgium, Canada, Denmark, Finland, the Netherlands, Norway and Sweden. Twelve States have utilized the trust fund to facilitate their participation in the August session. As at 14 August 1997, a total amount of $300,000 has been received in the Fund. General Assembly resolution 51/207 calls upon States to contribute voluntarily to the Trust Fund.

4. The Preparatory Committee also noted that at the invitation and request of the Government of Italy, Secretariat units responsible for providing services to the proposed diplomatic conference organized a planning mission in June, which made a survey of the facilities intended for the use of the diplomatic conference at the headquarters of the Food and Agriculture Organization of the United Nations in Rome. The report of the mission has been communicated to the Government of Italy.

Notes

[1] A/AC.249/1997/WG.3/CRP.1/Rev.1; and CRP.2.

[2] A/AC.249/1997/WG.4/CRP.1; CRP.2; CRP.3 and Corr.1; CRP.4 and Add.1 and 2; and CRP.5-9.